

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL FILE NO. 1:16-cv-00156-MR  
CRIMINAL FILE NO. 4:96-cr-00056-MR-1**

**TIMOTHY LAMONT RUFF,** )  
)  
**Petitioner,** )  
)  
**vs.** )  
)  
**UNITED STATES OF AMERICA,** )  
)  
**Respondent.** )  
\_\_\_\_\_ )

## ORDER

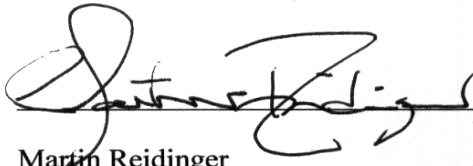
**THIS MATTER** is before the Court on Petitioner’s *pro se* “Motion to Vacate Sentence.” [Doc. 11].

On August 24, 2016, this Court stayed this action pending a decision by the Fourth Circuit Court of Appeals in the cases of United States v. Ali, No. 15-4433 (4th Cir.) and United States v. Simms, No. 15-4640 (4th Cir.). [Doc. 7]. Thereafter, Petitioner filed the present motion, asserting additional arguments in support of the merits of his claims on his motion to vacate. [Doc. 11]. The Court will deny Petitioner's motion at this time because this action has been stayed.

**IT IS, THEREFORE, ORDERED** that Petitioner's "Motion to Vacate Sentence" [Doc. 11] is **DENIED WITHOUT PREJUDICE** at this time because this action has been stayed.

**IT IS SO ORDERED.**

Signed: November 4, 2016

  
Martin Reidinger  
United States District Judge

